



# Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Twenty-eighth Meeting Day

Tuesday Morning

March 4, 2003

The House convened at 9:00 a.m. with the Speaker in the Chair.

The invocation was offered by Reverend Chris Cain, Assembly of God Church, Angola, the guest of Representative Dennis K. Kruse.

The Pledge of Allegiance to the Flag was led by Representative Kruse.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski
Aguilera	Kruse
Alderman	Kuzman
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus ☐
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta	Summers ☐
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

Roll Call 291: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 10, 2003, at 1:30 p.m.

L. LAWSON

Motion prevailed.

## RESOLUTIONS ON FIRST READING

### House Resolution 18

Representatives Stilwell, Harris, Stevenson, Kromkowski, Pelath, Kuzman, L. Lawson, Aguilera, C. Brown, and V. Smith introduced House Resolution 18:

A HOUSE RESOLUTION urging the federal government to pass a plan for comprehensive and affordable health care benefits for the citizens of the United States of America.

*Whereas, U.S. health care costs are out of control and getting worse; health insurers are demanding premium increases of more than 20 % for this year, on top of a 15% increase last year, 11% in 2001 and 8% in 2000;*

*Whereas, U.S. health care costs for retirees are soaring an average of 18% per year, and total U.S. spending on prescription drugs, which jumped 127% from \$51 billion in 1993 to \$116 billion in 2001, is expected to nearly triple to \$336 billion by 2010;*

*Whereas, Total U.S. expenditures on health care are expected to double for \$1.3 trillion in 2000 to more than \$2.6 trillion by 2010;*

*Whereas, Rising unemployment and increased costs are creating a tidal wave of uninsured; all through the 1990's, during supposedly good economic times, 1 million American workers lost their health insurance coverage every year, more than 2.2 million people lost their health coverage in 2001 just from increased unemployment—the largest annual increase in nearly 10 years, in 2002 the ranks of uninsured rose to 41.2 million, 14.6% of the population; the percentage of African Americans without health insurance is 19%, and among Hispanics, 33.2%;. Indiana's uninsured residents rose to nearly 700,000 people;*

*Whereas, Lack of Health Insurance affects our health and our financial security—among hospitalized patients, the uninsured are three times more likely to die than the insured, the uninsured are less likely to receive preventive care, and tend to postpone care they cannot afford until conditions are much more severe, and more expensive to treat;*

*Whereas, Pharmaceutical companies play a major role in rising health costs—major pharmaceutical manufacturers spent more than twice as much on marketing and administrative activities than on research and development (34% versus 14%), and profits exceed research and development expenses (24% versus 14%) according to Kaiser Family Foundation data, these costs are passed on to the consumer, and only serve to place basic health care out of the reach of many working families and seniors;*

*Whereas, The U.S. health system undermines global competitiveness; the high cost of employer-based, for-profit health insurance undermines the ability of U.S. firms to compete effectively in the global marketplace when other industrialized nations subsidize health care, in the steel industry, for example, insurance costs for active and retired hourly workers averaged \$6.36 per hour in 2000, 18% of total employment costs, these costs are one direct cause of most of the 34 steel-industry bankruptcies and 16 liquidations that*

*have wiped out health coverage for over close to 200,000 retirees, including steelworkers in Indiana; and*

*Whereas, In spite of its excessive cost, the U.S. health care system is ranked 37th among all nations, with higher rates of infant mortality and lower life expectancy than Canada and most other industrialized nations: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana General Assembly send a message to every member of the Indiana congressional delegation, to the Speaker of the U.S. House, the Senate Majority Leader, and President Bush, urging that they move with all haste to craft and pass a plan for comprehensive and affordable health care benefits for the citizens on the United States of America; that they move immediately to pass legislation for Medicare prescription drug coverage; and that they create policies that ensure victims of unfair and illegal trade policies receive the retiree health benefits that they worked their entire lives to earn.

The resolution was read a first time and adopted by voice vote.

## **ENGROSSED HOUSE BILLS ON THIRD READING**

### **Engrossed House Bill 1686**

Representative Liggett called down Engrossed House Bill 1686 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 292: yeas 53, nays 43. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard, Craycraft, and Paul.

### **Engrossed House Bill 1010**

Representative Pelath called down Engrossed House Bill 1010 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 293: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Rogers, Landske, and Bowser.

### **Engrossed House Bill 1092**

Representative Kersey called down Engrossed House Bill 1092 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 93, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Skinner.

### **Engrossed House Bill 1842**

Representative Mahern called down Engrossed House Bill 1842 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 295: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark, Mrvan, and R. Meeks.

### **Engrossed House Bill 1439**

Representative Bottorff called down Engrossed House Bill 1439 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 296: yeas 89, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and Sipes.

### **Engrossed House Bill 1789**

Representative Hasler called down Engrossed House Bill 1789 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 297: yeas 67, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ford, Weatherwax, Broden, and Mrvan.

### **Engrossed House Bill 1120**

Representative Porter called down Engrossed House Bill 1120 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 298: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Lubbers, Rogers, and Kenley.

### **Engrossed House Bill 1128**

Representative Pelath called down Engrossed House Bill 1128 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 299: yeas 94, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Miller.

### **Engrossed House Bill 1459**

Representative C. Brown called down Engrossed House Bill 1459 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 300: yeas 54, nays 41. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Alting, Rogers, and Lanane.

#### **Engrossed House Bill 1146**

Representative Crawford called down Engrossed House Bill 1146 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 301: yeas 72, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Meeks, Howard, and Dillon.

#### **Engrossed House Bill 1367**

Representative Stilwell called down Engrossed House Bill 1367 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 302: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray, Long, and R. Young.

#### **Engrossed House Bill 1195**

Representative Lytle called down Engrossed House Bill 1195 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 303: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent and Lewis.

#### **Engrossed House Bill 1202**

Representative Frenz called down Engrossed House Bill 1202 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 304: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Borst, Hume, and Ford.

#### **Engrossed House Bill 1231**

Representative Duncan called down Engrossed House Bill 1231 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 305: yeas 95, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jackman, Ford, and Lanane.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

#### **Engrossed House Bill 1241**

Representative Kuzman called down Engrossed House Bill 1241 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 306: yeas 62, nays 34. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Harrison.

#### **Engrossed House Bill 1982**

Representative Orentlicher called down Engrossed House Bill 1982 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning finance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 307: yeas 59, nays 36. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ford, L. Lutz, Weatherwax, and Broden.

#### **Engrossed House Bill 1276**

Representative Weinzapfel called down Engrossed House Bill 1276 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 308: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Server.

#### **Engrossed House Bill 1278**

Representative Crooks called down Engrossed House Bill 1278 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 309: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske and Hume.

#### **Engrossed House Bill 1281**

Representative Ayres called down Engrossed House Bill 1281 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 310: yeas 83, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Bowser, and Antich.

#### **Engrossed House Bill 1361**

Representative L. Lawson called down Engrossed House Bill 1361 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 311: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Broden and C. Lawson.

#### **Engrossed House Bill 1365**

Representative Foley called down Engrossed House Bill 1365 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 312: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Clark.

Representative Summers, who had been excused, was present.

#### **Engrossed House Bill 1375**

Representative GiaQuinta called down Engrossed House Bill 1375 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 313: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Meeks and Lewis.

#### **Engrossed House Bill 1378**

Representative Day called down Engrossed House Bill 1378 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 314: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Rogers.

#### **Engrossed House Bill 1401**

Representative V. Smith called down Engrossed House Bill 1401 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 315: yeas 35, nays 61. The bill was defeated.

#### **Engrossed House Bill 1418**

Representative Budak called down Engrossed House Bill 1418 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 316: yeas 84, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson, Clark, and Bowser.

#### **Engrossed House Bill 1425**

Representative Dvorak called down Engrossed House Bill 1425 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 317: yeas 90, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Paul and Lewis.

#### **Engrossed House Bill 1519**

Representative Welch called down Engrossed House Bill 1519 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 318: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Skillman.

The Speaker Pro Tempore yielded the gavel to the Speaker.

#### **Engrossed House Bill 1445**

Representative Reske called down Engrossed House Bill 1445 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 319: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and L. Lutz.

The House recessed until the fall of the gavel.

#### **RECESS**

The House reconvened at 2:40 p.m. with the Speaker in the Chair.

#### **OTHER BUSINESS ON THE SPEAKER'S TABLE**

##### **HOUSE MOTION**

Mr. Speaker: I move that House Rule 106.1 be suspended for the

purpose of adding more than three coauthors and that Representative Bosma be added as coauthor of House Bill 2008.

CRAWFORD

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Pursuant to House Rule 67, your Committee on Rules and Legislative Procedures has made the following corrections to House Bill 2005:

Page 6, line 31, reset in roman "section".

Page 7, line 33, insert after "FOLLOWS" "[EFFECTIVE JULY 1, 2003]".

Page 8, line 29, insert after "FOLLOWS" "[EFFECTIVE JULY 1, 2003]".

Page 8, line 30, delete "Effective 1-1-2003."

Reference is to HB 2005 as reprinted March 4, 2003)

PELATH, Chair  
WHETSTONE, Ranking Minority Member  
FRENZ, Author

Report adopted.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1465

Representative L. Lawson called down Engrossed House Bill 1465 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public employees.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 320: yeas 86, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Meeks, Server, L. Lutz, and Craycraft.

### Engrossed House Bill 1481

Representative Pflum called down Engrossed House Bill 1481 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 321: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and Craycraft.

### Engrossed House Bill 1521

Representative Frizzell called down Engrossed House Bill 1521 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 322: yeas 94, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Drozda and Riegsecker.

### Engrossed House Bill 1458

Representative C. Brown called down Engrossed House Bill 1458

for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 323: yeas 75, nays 23. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators.

Miller, Simpson, and Breaux

### Engrossed House Bill 1544

Representative Fry called down Engrossed House Bill 1544 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 324: yeas 54, nays 44. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Landske.

### Engrossed House Bill 1575

Representative Bischoff called down Engrossed House Bill 1575 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 325: yeas 55, nays 43. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent and Lewis.

### Engrossed House Bill 1532

Representative Goodin called down Engrossed House Bill 1532 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 326: yeas 89, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Ford.

### Engrossed House Bill 1589

Representative Avery called down Engrossed House Bill 1589 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 327: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Hume.

### Engrossed House Bill 1654

Representative Bardon called down Engrossed House Bill 1654

for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 328: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Paul.

#### Engrossed House Bill 1681

Representative D. Young called down Engrossed House Bill 1681 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 329: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Ford.

#### Engrossed House Bill 2009

Representative Crawford called down Engrossed House Bill 2009 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 330: yeas 82, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Borst, Simpson, Miller, and Breaux.

#### Engrossed House Bill 2008

Representative Crawford called down Engrossed House Bill 2008 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning economic development and to make an appropriation.

The bill was read a third time by sections and placed upon its passage.

#### HOUSE MOTION (Amendment 2008-21)

Mr. Speaker: With the consent of the author, I move that Engrossed House Bill 2008 be recommitted to a Committee of One, its coauthor, Representative Bosma, with specific instructions to amend as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-3-14-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE January 1, 2004]: Sec. 4. (a) The articles of incorporation or bylaws of the corporation, as appropriate, must provide that:

(1) the exclusive purpose of the corporation is to contribute to the strengthening of the economy of the state by:

(A) coordinating the activities of all parties having a role in the state's economic development through evaluating, overseeing, and appraising those activities on an ongoing basis;

(B) overseeing the implementation of the state's economic development plan and monitoring the updates of that plan; and

(C) educating and assisting all parties involved in improving the long range vitality of the state's economy;

(2) the board ~~must include:~~

(A) the governor;

(B) the lieutenant governor;

(C) the chief operating officer of the corporation;

(D) the chief operating officer of the corporation for Indiana's international future; and

(E) additional persons appointed by the governor, who are actively engaged in Indiana in private enterprise, organized labor, state or local governmental agencies, and education, and who represent the diverse economic and regional interests throughout Indiana;

is composed of the following twenty-one (21) members, none of whom may be members of the general assembly:

(A) Three (3) persons appointed by the governor who must be employed in or retired from the private or nonprofit sector but may not represent organized labor. Appointments made under this subdivision are also subject to the requirements of subsection (a)(3).

(B) Three (3) persons appointed by the lieutenant governor who must be employed in or retired from the private or nonprofit sector but may not represent organized labor. Appointments made under this subdivision are also subject to the requirements of subsection (a)(3).

(C) Two (2) persons appointed by the speaker of the house of representatives who must be employed in or retired from the private or nonprofit sector. One (1) of these appointees must represent organized labor and the other appointee may not represent organized labor.

(D) Two (2) persons appointed by the minority leader of the house of representatives who must be employed in or retired from the private or nonprofit sector. One (1) of these appointees must represent organized labor and the other appointee may not represent organized labor.

(E) Two (2) persons appointed by the president pro tempore of the senate who must be employed in or retired from the private or nonprofit sector. One (1) of these appointees must represent organized labor and the other appointee may not represent organized labor.

(F) Two (2) persons appointed by the minority leader of the senate who must be employed in or retired from the private or nonprofit sector. One (1) of these appointees must represent organized labor and the other appointee may not represent organized labor.

(G) One (1) person appointed by the president of Indiana University who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(H) One (1) person appointed by the president of Purdue University who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(I) One (1) person appointed by the president of Indiana State University who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(J) One (1) person appointed by the president of Ball State University who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(K) One (1) person appointed by the president of the University of Southern Indiana who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(L) One (1) person appointed by the president of Ivy Tech State College who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(M) One (1) person appointed by the president of Vincennes University who must be employed in or retired from the private or nonprofit sector or academia, but may not represent organized labor.

(3) The governor and lieutenant governor shall coordinate

their appointments under subsection (a)(2)(A) and (a)(2)(B) so that those appointments include at least one (1) representative from each of the following industry sectors:

(A) Advanced manufacturing, such as automotive, electronics, aerospace, robotics, or engineering design technology.

(B) Information technology, such as informatics, certified network administration, software development, or fiber optics.

(C) Life sciences, such as orthopedics, medical devices, biomedical research and development, pharmaceutical manufacturing, agribusiness, nanotechnology, or molecular manufacturing.

(D) Logistics, such as high technology distribution, intermodal ports, or flow and storage of goods, services, and information.

(E) Public utilities (as defined in IC 8-1-2-1).

(4) The terms of office of the members of the corporation are as follows:

(A) Members appointed by the governor, lieutenant governor, president pro tempore of the senate, or minority leader of the senate serve for terms of four (4) years.

(B) Members appointed by the speaker of the house of representatives, the minority leader of the house of representatives, or the president of a university or college serve for terms of two (2) years.

Each member shall hold office for the term of appointment and shall continue to serve after expiration of the appointment until a successor is appointed and qualified. Members are eligible for reappointment.

(5) The governor may designate a member of the board appointed by the governor under subsection (a)(2)(A) of this section to serve as chairperson. However, if the governor does not designate a chairperson, the members shall elect a chairperson from among the members.

(6) Fourteen (14) members constitute a quorum for the transaction of business. The affirmative vote of at least eleven (11) members is necessary for any action to be taken by the corporation. Members may vote by written proxy delivered in advance to any other member who is present at the meeting.

(7) Meetings of the corporation shall be held at the call of the chairperson or whenever any five (5) members request a meeting. The members shall meet at least once every three (3) months to attend to the business of the corporation.

(8) The corporation shall determine qualifications, duties, compensation, and terms of service for persons designated in subsection (a)(9) and subsection (a)(10).

(3) the governor shall serve as chairman of the board of the corporation; and the lieutenant governor shall serve as the chief executive officer of the corporation;

(4)(9) the governor shall appoint as vice chairman of the board a member of the board engaged in private enterprise; the board shall elect an executive director of the corporation;

(5)(10) the lieutenant governor executive director of the corporation shall be responsible as chief executive officer for overseeing implementation of the state's economic development plan as articulated by the corporation board and shall oversee the activities of the corporation's chief operating officer corporation;

(6) the governor may appoint an executive committee composed of members of the board (size and structure of the executive committee shall be set by the articles and bylaws of the corporation);

(7)(11) the corporation may receive funds from any source and may expend funds for any activities necessary, convenient, or expedient to carry out its purposes;

(8)(12) any amendments to the articles of incorporation or bylaws of the corporation must be approved by the governor; board;

(9) (13) the corporation shall submit an annual report to the governor, lieutenant governor and to the Indiana general assembly on or before the first day of November for each year;

(10)(14) the corporation shall conduct an annual public hearing to receive comment from interested parties regarding the annual report, and notice of the hearing shall be given at least fourteen (14) days prior to the hearing in accordance with IC 5-14-1.5-5(b); and

(11) (15) the corporation is subject to an annual audit by the state board of accounts, and the corporation shall bear the full costs of this audit.

(b) The members of the corporation are entitled to a salary per diem for attending meetings equal to the per diem provided by law for members of the general assembly. The members of the corporation shall receive reimbursement for actual and necessary expenses on the same basis as state employees.

(c) Employees of the corporation are not employees of the state.

(d) The corporation may, without the approval of the attorney general or any other state officer, employ bond counsel, other legal counsel, technical experts, and other officers, agents, and employees, permanent or temporary, the corporation considers necessary to carry out the efficient operation of the corporation.

(b)(e) The corporation is granted all powers necessary or appropriate to carry out and effectuate the corporation's public and corporate purposes under this chapter. The corporation may perform other acts and things necessary, convenient, or expedient to carry out the purposes identified in this section, and it has all rights, powers, and privileges granted to corporations by IC 23-17 and by common law."

Page 50, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 28. IC 6-1.1-3-22, AS ADDED BY P.L.192-2002(ss), SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 22. (a) Except to the extent that it conflicts with a statute, 50 IAC 4.2 (as in effect January 1, 2001) is incorporated by reference into this section.

(b) Tangible personal property within the scope of 50 IAC 4.2 (as in effect January 1, 2001) shall be assessed on the assessment dates in calendar years 2003 and thereafter in conformity with 50 IAC 4.2 (as in effect January 1, 2001), except that the rate of total valuation percentage to apply to a taxpayer in a taxing district under 50 IAC 4.2-4-9 is the following:

(1) Twenty-five percent (25%) on an assessment date in 2004 for property taxes first due and payable in 2005.

(2) Twenty percent (20%) on an assessment date in 2005 for property taxes first due and payable in 2006 and on an assessment date each year thereafter through payable 2010.

(c) The publisher of the Indiana Administrative Code may continue to publish 50 IAC 4.2 (as in effect January 1, 2001) in the Indiana Administrative Code.

(d) 50 IAC 4.3 and any other rule to the extent that it conflicts with this section is void.

(e) A reference in 50 IAC 4.2 to a governmental entity that has been terminated or a statute that has been repealed or amended shall be treated as a reference to its successor.

SECTION 29. IC 6-1.1-8-44, AS ADDED BY P.L.192-2002(ss), SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 44.(a) Except to the extent that it conflicts with a statute, 50 IAC 5.1 (as in effect January 1, 2001) is incorporated by reference into this section.

(b) Tangible personal property within the scope of 50 IAC 5.1 (as in effect January 1, 2001) shall be assessed on the assessment dates in calendar years 2003 and thereafter in conformity with 50 IAC 5.1 (as in effect January 1, 2001), except that the rate of total valuation percentage to apply to a taxpayer in a taxing district under 50 IAC 5.1-6-9 is the following:

(1) Twenty-five percent (25%) on an assessment date in 2004 for property taxes first due and payable in 2005.

(2) Twenty percent (20%) on an assessment date in 2005 for property taxes first due and payable in 2006 and on an assessment date each year thereafter through payable 2010.



(c) The publisher of the Indiana Administrative Code may continue to publish 50 IAC 5.1 (as in effect January 1, 2001) in the Indiana Administrative Code.

(d) 50 IAC 5.2 and any other rule to the extent that it conflicts with this section is void.

(e) A reference in 50 IAC 5.1 to a governmental entity that has been terminated or a statute that has been repealed or amended shall be treated as a reference to its successor.

SECTION 30. IC 6-3.1-4-6, AS AMENDED BY P.L.192-2002(ss), SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. Notwithstanding the other provisions of this chapter, a taxpayer is not entitled to a credit for Indiana qualified research expense incurred after December 31, 2004-2010. Notwithstanding Section 41 of the Internal Revenue Code, the termination date in Section 41(h) of the Internal Revenue Code does not apply to a taxpayer who is eligible for the credit under this chapter for the taxable year in which the Indiana qualified research expense is incurred."

Page 52, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 32. IC 6-3.1-26 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

**Chapter 26. Indiana Growth Scholars Tax Credit**

**Sec. 1.** As used in this chapter, "eligible taxpayer" means an individual who satisfies the following requirements:

- (1) The individual participated in the Indiana growth scholars program established under IC 20-12-20.3.
- (2) The individual received provisional tax credits under the program described in subdivision (1).
- (3) The individual graduated from a certified degree program (as defined in IC 20-12-20.3-1).
- (4) The individual is employed in Indiana.

**Sec. 2.** As used in this chapter, "state income tax liability" means an individual's adjusted gross income tax liability under IC 6-3.

**Sec. 3. (a)** Beginning with the eligible taxpayer's first taxable year that begins after the date that the eligible taxpayer graduated from a certified degree program, an eligible taxpayer is entitled to a refundable credit against the eligible taxpayer's state income tax liability. The amount of the tax credit is equal to the amount of the provisional credit awarded to the eligible taxpayer in the academic year that corresponds to the number of taxable years following the eligible taxpayer's graduation as follows:

Taxable year following graduation	Academic year in the program
1st	1st
2nd	2nd
3rd	3rd
4th	4th

(b) If the amount of the credit under this chapter exceeds the eligible taxpayer's state tax liability for the taxable year, the excess shall be refunded to the eligible taxpayer.

**Sec. 4.** To obtain the credit provided by this chapter, an eligible taxpayer must file with the department information proving the amount of the provisional tax credits awarded to the eligible taxpayer as a student participating in the Indiana growth scholars program and any other information required by the department."

Page 75, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 65. IC 20-12-20.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

**Chapter 20.3. Indiana Growth Scholars Program**

**Sec. 1.** As used in this chapter, "certified degree program" has the meaning set forth in IC 22-4.1-7-1.

**Sec. 2.** As used in this chapter, "commission" refers to the student assistance commission established by IC 20-12-21-4.

**Sec. 3.** As used in this chapter, "eligible employer" means an employer that provides employment to an eligible student in

targeted employment (as defined in IC 22-4.1-7-6) through the internship component of a certified degree program under IC 22-4.1-7. The term includes the following:

- (1) A person (as defined in IC 6-3-1-14) acting as a sole proprietor.
- (2) A corporation (as defined in IC 6-3-1-10).
- (3) A partnership (as defined in IC 6-3-1-19).

**Sec. 4.** As used in this chapter, "eligible student" means a student (as defined in IC 22-4.1-7-5) who:

- (1) is enrolled full time as an undergraduate in a certified degree program through an institution of higher learning;
- (2) is an Indiana resident;
- (3) has achieved a Core 40 or an Academic Honors Diploma, or the equivalent of a Core 40 or an Academic Honors Diploma, as determined by the commission; and
- (4) has a cumulative high school grade point average of at least 3.0 on a 4.0 scale.

The commission may impose additional eligibility requirements, including requirements set forth in IC 20-12-21-6.

**Sec. 5.** As used in this chapter, "institution of higher learning" means:

- (1) a state educational institution (as defined in IC 20-12-0.5-1); or
- (2) a private institution of higher education (as defined in IC 20-12-63-3(10)).

**Sec. 6. (a)** The Indiana growth scholars program is established.

(b) The commission shall administer the program.

**Sec. 7.** The executive director of the commission may employ or contract for clerical and professional staff and administrative support necessary to implement this chapter.

**Sec. 8. (a)** The commission shall award a provisional tax credit to an eligible student who:

- (1) is enrolled in good standing in a certified degree program;
- (2) enters into an agreement with the commission under this chapter; and
- (3) complies with the requirements established under the rules of the commission.

(b) An eligible student may not claim a tax credit against the student's Indiana adjusted gross income tax under this chapter. However, proof of the provisional tax credit awarded under this chapter may be used to obtain a tax credit under IC 6-3.1-25 in a taxable year that begins after the eligible student graduates from a certified degree program and remains eligible for a tax credit under the requirements of IC 6-3.1-25.

**Sec. 9. (a)** The amount of a provisional tax credit awarded under section 8 of this chapter may be up to two thousand dollars (\$2,000) per academic year.

(b) The commission may not award total provisional tax credits in excess of twenty-eight million dollars (\$28,000,000) for any academic year. Furthermore, the commission must limit the award of provisional tax credits for the 2003-2004 academic year so that the total amount of tax credits claimed under this chapter for the 2005 taxable year does not exceed seven million five hundred thousand dollars (\$7,500,000).

(c) The commission may consider any of the following factors in determining the amount of the grant to award under section 8 of this chapter:

- (1) Whether an eligible student is enrolled in a certified degree program for less than a full academic year.
- (2) Whether a student receives additional aid from other state assistance programs.
- (3) Any other factor set forth in the rules of the commission.

**Sec. 10.** An eligible student must enter into an agreement with the commission to be eligible for a provisional tax credit under this chapter. The agreement must include the following requirements:

- (1) The eligible student must remain enrolled in good standing in a certified degree program during the academic year.



(2) The eligible student must remain and be employed in Indiana after the student graduates from the certified degree program for a period of years equal to the number of years for which the student received a provisional tax credit under this chapter.

The agreement may include any other provisions that the commission considers necessary to administer this chapter.

Sec. 11. The commission shall enter into agreements with institutions of higher learning to implement this chapter.

Sec. 12. The commission may adopt rules under IC 4-22-2 that are necessary or appropriate to implement this chapter. The rules that are adopted under this chapter may include rules establishing different standards or procedures for resident and nonresident students."

Page 82, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 69. [EFFECTIVE JULY 1, 2003] (a) As used in this SECTION, "commission" refers to the government efficiency commission established by subsection (c).

(b) As used in this SECTION, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

(c) The government efficiency commission is established.

(d) The commission consists of the following members:

(1) One (1) co-chairperson appointed before July 16, 2003, by the president pro tempore of the senate.

(2) One (1) co-chairperson appointed before July 16, 2003, by the speaker of the house of representatives.

(3) Ten (10) members appointed before August 16, 2003, by the president pro tempore of the senate, five (5) of those members appointed with the advice and consent of the minority leader of the senate.

(4) Ten (10) members appointed before August 16, 2003, by the speaker of the house of representatives, five (5) of those members appointed with the advice and consent of the minority leader of the house of representatives.

(e) The following may not be members of the commission:

(1) An elected or appointed state or local official.

(2) An employee or a person receiving a pension or other retirement benefit related to service to any of the following:

(A) A state educational institution.

(B) A school corporation or a charter school.

(C) The state or any agency of the state.

(3) A person who has a direct business relationship with any of the following:

(A) A state educational institution.

(B) A public school corporation.

(C) The state or any agency of the state.

(D) An elected or appointed state agency official.

(E) The general assembly or any of its members.

(f) A member of the commission is not entitled to a salary per diem.

(g) A member of the commission is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the legislative council's travel policies and procedures.

(h) The commission shall meet upon the call of the co-chairpersons.

(i) The co-chairpersons may advise the president pro tempore of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives concerning the appointment of other members of the commission.

(j) A quorum of the commission must be present to conduct business. A quorum consists of a majority of the voting members appointed to the commission.

(k) The commission may not take an official action unless the official action has been approved by at least a majority of the voting members appointed to serve on the commission.

(l) The co-chairpersons shall establish and appoint commission members to four (4) subcommittees as follows:

(1) The K-12 education subcommittee.

(2) The higher education subcommittee.

(3) The Medicaid and human services subcommittee.

(4) The general government subcommittee.

(m) The co-chairpersons shall name the chairperson of each subcommittee.

(n) The commission shall do the following:

(1) Review all state funded agencies, departments, and programs.

(2) Make recommendations to improve efficiency and reduce waste or other unnecessary costs associated with any state funded agency, department, or program.

(o) The following persons shall serve as staff advisers to the commission:

(1) The state budget director.

(2) The commissioner of the commission for higher education.

(3) The Indiana state board of education administrator.

(4) The executive director of the legislative services agency.

(p) The commission shall provide its final recommendations before December 31, 2004, to the following:

(1) The governor.

(2) The general assembly.

(g) This SECTION expires January 1, 2005.

SECTION 70. [EFFECTIVE JANUARY 1, 2004]: No later than April 1, 2004, the board in SECTION 1 shall amend its bylaws in accordance with IC 4-3-14-4 as amended by this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 2008 as printed February 26, 2003.)

BOSMA

Upon request of Representatives Bosma and Dobis, the Speaker ordered the roll of the House to be called. Roll Call 331: yeas 92, nays 5. There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 2008, begs leave to report that said bill has been amended as directed.

BOSMA

Report adopted.

The question then was, Shall the bill pass?

Roll Call 332: yeas 90, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Borst, Simpson, Ford, and Broden.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

#### Engrossed House Bill 1003

Representative Liggett called down Engrossed House Bill 1003 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety and to make an appropriation.

The bill was read a third time by sections and placed upon its passage.

#### HOUSE MOTION (Amendment 1003-9)

Mr. Speaker: I move that Engrossed House Bill 1003 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 115, line 23, delete "Ninety-five" and insert "Ninety-three".

Page 115, line 24, delete "(95%)" and insert "(93%)".

Page 116, line 31, strike "However," and insert "Except for disbursements described in subsection (j)".

Page 117, between lines 16 and 17, begin a new paragraph and insert:

"(j) The expenses of administering the fund are paid from the money in the fund subject to the approval of the incumbent

**workers training board."**

Page 122, line 7, delete "used for the staffing" and insert "allocated to the sixteen (16) Workforce Investment Boards in Indiana to support the local WorkOne system of offices that serve Indiana's employers and workers.".

Page 122, delete line 8.

(Reference is to HB 1003 as reprinted March 4, 2003.)

LIGGETT

There being a two-thirds vote in favor of the motion, the motion prevailed.

**COMMITTEE REPORT**

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1003, begs leave to report that said bill has been amended as directed.

LIGGETT

Report adopted.

The question then was, Shall the bill pass? On the motion of Representative Whetstone the previous question was called.

Roll Call 333: yeas 53, nays 45. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and Craycraft.

**Engrossed House Bill 1659**

Representative Wolkins called down Engrossed House Bill 1659 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 334: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and Hume.

**Engrossed House Bill 1714**

Representative Klinker called down Engrossed House Bill 1714 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 335: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley, Hume, Gard, and Craycraft.

**Engrossed House Bill 1796**

Representative Chowning called down Engrossed House Bill 1796 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 336: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Jackman.

**Engrossed House Bill 1828**

Representative Bosma called down Engrossed House Bill 1828 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning

criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 337: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley, Broden, M. Young, and Simpson.

**Engrossed House Bill 1837**

Representative Summers called down Engrossed House Bill 1837 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 338: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller, Simpson, and Riegsecker.

**Engrossed House Bill 1845**

Representative Ruppel called down Engrossed House Bill 1845 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 339: yeas 73, nays 25. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator R. Meeks.

**Engrossed House Bill 1870**

Representative Buell called down Engrossed House Bill 1870 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 340: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley, Simpson, Skillman, Clark, and R. Meeks.

**Engrossed House Bill 1880**

Representative Pierce called down Engrossed House Bill 1880 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 341: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Gard.

**Engrossed House Bill 1894**

Representative Stevenson called down Engrossed House Bill 1894 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 342: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Long, Antich, and Mrvan.

### Engrossed House Bill 1935

Representative Oxley called down Engrossed House Bill 1935 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 343: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Merritt, Wyss, and R. Young.

### Engrossed House Bill 1977

Representative Friend called down Engrossed House Bill 1977 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? On the motion of Representative Bottorff the previous question was called.

Roll Call 344: yeas 57, nays 41. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jackman, Clark, and Lewis.

### Engrossed House Bill 1899

Representative Austin called down Engrossed House Bill 1899 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage.

#### HOUSE MOTION (Amendment 1899-2)

Mr. Speaker: I move that Engrossed House Bill 1899 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 5, line 3, delete "**The cash or securities on deposit and any funds recovered**".

Page 5, line 4, delete "**shall be deposited in the county general fund**".

Page 5, line 41, reset in roman "state common".

Page 5, line 42, reset in roman "school".

Page 5, line 42, delete "county general".

Page 6, line 4, delete "." and insert "**(less attorney's fees and collection costs retained by the clerk)**".

Page 7, line 10, delete "county general" and insert "**state common school**".

Page 7, line 13, delete "." and insert "**(less attorney's fees and collection costs retained by the clerk)**".

Page 7, after line 21, begin a new paragraph and insert:  
"SECTION 4. [EFFECTIVE JULY 1, 2003] **IC 35-33-8-7 and IC 35-33-8-8, both as amended by this act, apply only to a defendant admitted to bail after June 30, 2003.**"

(Reference is to HB 1899 as printed February 28, 2003.)

AUSTIN

There being a two-thirds vote in favor of the motion, the motion prevailed.

### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1899, begs leave to report that said bill has been amended as directed.

AUSTIN

Report adopted.

The question then was, Shall the bill pass?

Roll Call 345: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske and Lanane.

### Engrossed House Bill 2005

Representative Frenz called down Engrossed House Bill 2005 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 346: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Zakas, Craycraft, R. Meeks, and Hume.

### Engrossed House Joint Resolution 8

Representative Murphy called down Engrossed House Joint Resolution 8 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 5 of the Indiana Constitution concerning state offices and administration.

The joint resolution was read a third time by sections and placed upon its passage. The question was, Shall the joint resolution pass?

Roll Call 347: yeas 98, nays 0. The joint resolution was declared passed. The question was, Shall the title of the joint resolution remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the joint resolution. Senate sponsors: Senators Ford, R. Young, Merritt, and Wyss.

### Engrossed House Bill 1463

Representative Whetstone called down Engrossed House Bill 1463 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 348: yeas 86, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Waterman and Craycraft.

### Engrossed House Bill 1528

Representative Kuzman called down Engrossed House Bill 1528 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 349: yeas 67, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Rogers.

**Engrossed House Bill 1473**

Representative Kersey called down Engrossed House Bill 1473 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 350: yeas 79, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Skinner.

**Engrossed House Joint Resolution 2**

Representative Frenz called down Engrossed House Joint Resolution 2 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 10, Section 1 of the Indiana Constitution concerning taxation.

The joint resolution was read a third time by sections and placed upon its passage. The question was, Shall the joint resolution pass?

Roll Call 351: yeas 98, nays 0. The joint resolution was declared passed. The question was, Shall the title of the joint resolution remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the joint resolution. Senate sponsors: Senators Hume, Kenley, Simpson, and Ford.

The Speaker Pro Tempore yielded the gavel to the Speaker.

**Engrossed House Bill 2032**

Representative Dvorak called down Engrossed House Bill 2032 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 352: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Zakas.

**Engrossed House Bill 1268**

Representative Orentlicher called down Engrossed House Bill 1268 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 353: yeas 82, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Bowser.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 6:40 p.m. with the Speaker in the Chair.

**INTRODUCTION OF BILLS**

The following bills were read a first time by title and referred to the respective committees:

**ESB 3** — GiaQuinta, Wolkins (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 6** — Aguilera, Duncan, Stutzman, Ayres (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 13** — Kuzman, Orentlicher, Foley (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 26** — Fry, Foley, Grubb (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**ESB 27** — Ayres, Kuzman, Richardson (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 28** — Thomas (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**ESB 35** — Avery, Crawford, Espich, D. Young (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 36** — Moses, Thompson, Porter, Buck (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**ESB 57** — C. Brown, Becker (Public Health)

A BILL FOR AN ACT concerning human services.

**ESB 58** — Torr (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 62** — Crawford, Summers, Budak (Rules and Legislative Procedures)

A BILL FOR AN ACT concerning human services.

**ESB 63** — Crawford, Budak (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**ESB 65** — Reske, J. Lutz, Austin (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 71** — Denbo, Hasler (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 72** — Murphy, Hasler (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**ESB 74** — Weinzapfel, Murphy, Hasler (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning consumer sales.

**ESB 75** — Hasler, Murphy (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**ESB 78** — Cochran, Scholer (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 84** — Welch, Borrer (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 85** — Stevenson, Behning (Rules and Legislative Procedures)  
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**ESB 86** — T. Adams, Kruse (Agriculture, Natural Resources and Rural Development)  
A BILL FOR AN ACT concerning natural and cultural resources.

**ESB 87** — Kromkowski, Buell (Labor and Employment)  
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 88** — Kromkowski, T. Adams, Liggett (Elections and Apportionment)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**ESB 94** — Kromkowski, Buell, T. Adams (Labor and Employment)  
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 98** — Crooks, Leonard (Appointments and Claims)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**ESB 109** — Aguilera, J. Lutz (Technology, Research and Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 114** — Kuzman, Wolkins (Environmental Affairs)  
A BILL FOR AN ACT concerning environmental law.

**ESB 115** — Mahern, Murphy (Courts and Criminal Code)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 117** — Porter, Scholer (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 121** — Day (Human Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**ESB 122** — Herrell, Pond (Insurance, Corporations and Small Business)  
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 136** — Mahern, Richardson (Elections and Apportionment)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**ESB 137** — Crooks, Budak, Pelath, Richardson (Elections and Apportionment)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**ESB 141** — Avery, Ruppel (Labor and Employment)  
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 144** — L. Lawson, Foley, Dickinson (Courts and Criminal Code)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 150** — Weinzapfel, Foley (Appointments and Claims)  
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**ESB 151** — Welch, Buell (Public Policy, Ethics and Veterans Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 153** — C. Brown, Crawford, Buell (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

**ESB 160** — Wolkins, Bottorff (Interstate and International Cooperation)  
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**ESB 161** — Reske, Scholer (Interstate and International Cooperation)  
A BILL FOR AN ACT to repeal certain provisions of the Indiana Code concerning transportation.

**ESB 162** — Reske, Scholer (Interstate and International Cooperation)  
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**ESB 166** — Cochran, Espich, Crawford (Ways and Means)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**ESB 167** — Austin, Buell (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**ESB 169** — Goodin (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**ESB 172** — Oxley, Crooks, Kruse (Courts and Criminal Code)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 179** — T. Adams, Murphy, Lehe (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 180** — C. Brown, T. Brown (Public Health)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 186** — Porter, Scholer (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 187** — Porter, Scholer (Education)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 188** — Avery, Saunders, Whetstone (Local Government)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 191** — Cochran, Espich (Appointments and Claims)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**ESB 201** — Stevenson, Hinkle (Local Government)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 203** — Welch, Crooks, Foley (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 205** — Weinzapfel, Scholer (Interstate and International Cooperation)  
A BILL FOR AN ACT to amend the Indiana Code concerning corrections and to make an appropriation.

**ESB 207** — Bottorff, Wolkins (Environmental Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**ESB 208** — Botorff, Wolkins (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**ESB 209** — T. Adams, Yount (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**ESB 211** — Lytle, Ripley (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 214** — Bardon, Burton (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**ESB 215** — Reske, Duncan (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**ESB 216** — Reske, Murphy (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 220** — C. Brown, Becker (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

**ESB 222** — Reske (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 224** — GiaQuinta, Borrer, Stilwell, Becker (Rules and Legislative Procedures)

A BILL FOR AN ACT concerning natural and cultural resources.

**ESB 225** — Herrell, Foley, GiaQuinta, Borrer (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 230** — Porter, Pond, Cheney, Scholer (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 238** — Frenz, Thompson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 242** — Cheney, Ayres (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 245** — Welch, LaPlante, Foley (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 247** — Weinzapfel, Foley (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**ESB 251** — Klinker, Scholer, T. Brown (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**ESB 256** — Porter, Pond, Scholer (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**ESB 257** — Frenz, Foley (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 259** — Goodin (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**ESB 261** — Fry (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 262** — Fry, Ripley (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 263** — Fry (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 267** — Oxley, Koch (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 279** — Kuzman, Herrell, Torr (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**ESB 280** — Mahern, Buell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**ESB 286** — Dvorak, Koch (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**ESB 289** — Cherry, Crooks (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 300** — Bischoff (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 304** — Reske, J. Lutz (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 308** — Stevenson, Borrer (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

**ESB 311** — L. Lawson (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 318** — Kromkowski, Thompson (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**ESB 320** — Mahern, Bosma (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 323** — Mahern, Hasler, Murphy (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**ESB 326** — Crooks (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**ESB 327** — Weinzapfel, Wolkins (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**ESB 331** — Welch, Crawford (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

**ESB 332** — Frenz (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**ESB 337** — Crawford, Grubb, Duncan, Buck (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**ESB 340** — C. Brown, Buell (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**ESB 341** — C. Brown, Oxley, Ripley, Torr (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 343** — C. Brown (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 349** — Kuzman, Foley (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 354** — Fry, Becker (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**ESB 355** — Bischoff, Ruppel (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**ESB 362** — Welch, Becker (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 363** — Mays, Goodin (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

**ESB 365** — Grubb (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 373** — L. Lawson (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 376** — Hasler, Frenz, Torr (Ways and Means)

A BILL FOR AN ACT concerning state and local administration.

**ESB 384** — Denbo, Whetstone (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**ESB 386** — Hasler, Turner, Dvorak, Thompson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**ESB 389** — Frenz, Yount, Leonard (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**ESB 395** — Cochran, Goodin (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

**ESB 396** — C. Brown, Frizzell (Public Health)

A BILL FOR AN ACT concerning health.

**ESB 401** — Reske, McClain (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**ESB 410** — Hasler (Labor and Employment)

A BILL FOR AN ACT concerning state and local administration.

**ESB 411** — Ripley, Goodin (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**ESB 412** — Oxley, Burton (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**ESB 416** — Reske, Frizzell (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 420** — Murphy (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 422** — Crawford, Espich (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**ESB 429** — Kuzman, Foley (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 430** — Liggett, Torr (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**ESB 435** — Bardon, Ripley (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

**ESB 437** — L. Lawson, Kruse (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**ESB 438** — Kuzman, Borrer, Scholer (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**ESB 449** — Stevenson, Friend, Dvorak, Yount (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**ESB 451** — Klinker, Dobis, Alderman, Torr (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**ESB 454** — Weinzapfel, Murphy, Cochran (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

**ESB 455** — Frenz, Foley (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**ESB 457** — Bardon, Budak (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**ESB 461** — C. Brown, Welch, Buell (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.



**ESB 474** — Reske, Scholer (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**ESB 532** — Denbo, Pond, Welch, Behning (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**INTRODUCTION OF JOINT RESOLUTIONS**

The following joint resolutions were read a first time by title and referred to the respective committees:

**ESJR 5** — Frenz, Espich, Cochran (Ways and Means)

A JOINT RESOLUTION proposing an amendment to Article 10, SECTION 1 of the Constitution of the State of Indiana concerning taxation.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following proposed amendment to the Constitution of the State of Indiana, which was agreed to by the One Hundred Twelfth General Assembly of the State of Indiana and referred to this General Assembly for reconsideration and agreement, is agreed to by this the One Hundred Thirteenth General Assembly of the State of Indiana.

SECTION 2. ARTICLE 10, SECTION 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 1. (a) The General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation and shall prescribe regulations to secure a just valuation for taxation of all property, both real and personal. The General Assembly may exempt from property taxation any property in any of the following classes:

- (1) Property being used for municipal, educational, literary, scientific, religious, or charitable purposes.
- (2) Tangible personal property other than ~~property being held for sale in the ordinary course of a trade or business, property being held used or consumed in connection with the production of income or~~ property being held as an investment.
- (3) Intangible personal property.
- (4) **Tangible real property, including curtilage, used as a principal place of residence by an:**
  - (A) owner of the property;
  - (B) individual who is buying the tangible real property under a contract; or
  - (C) individual who has a beneficial interest in the owner of the tangible real property.

(b) The General Assembly may exempt any motor vehicles, mobile homes, airplanes, boats, trailers, or similar property, provided that an excise tax in lieu of the property tax is substituted therefor.

**ENGROSSED HOUSE BILLS ON THIRD READING****Engrossed House Bill 1917**

Representative V. Smith called down Engrossed House Bill 1917 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 354: yeas 90, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark, Rogers, and S. Smith.

**Engrossed House Bill 1901**

Representative Frizzell called down Engrossed House Bill 1901 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 355: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Miller.

**Engrossed House Bill 1895**

Representative Dvorak called down Engrossed House Bill 1895 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 356: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Zakas and Broden.

**Engrossed House Bill 1881**

Representative Pierce called down Engrossed House Bill 1881 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives Bottorff, Espich, Mays, Moses, and V. Smith were excused from voting.

Roll Call 357: yeas 51, nays 42. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bray.

**Engrossed House Bill 1874**

Representative Avery called down Engrossed House Bill 1874 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and local government.

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION  
(Amendment 1874-3)

Mr. Speaker: I move that Engrossed House Bill 1874 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 2, line 34, delete "five (5)" and insert "**three (3)**".

Page 2, line 37, delete "sixth through tenth" and insert "**fourth through sixth**".

Page 2, line 40, delete "eleventh" and insert "**seventh**".

Page 3 line 1, delete "twelfth" and insert "**eighth**".

Page 3 line 4, delete "thirteenth" and insert "**ninth**".

Page 3, line 7, delete "fourteenth" and insert "**tenth**".

Page 14, line 11, after "materials" insert "**in a taxable year beginning after December 31, 2004,**".

Page 16, line 11, after "residence" insert "**in a taxable year beginning after December 31, 2004,**".

Page 18, between lines 32 and 33, begin a new line block indented and insert:

**"(3) That there is a documented need for affordable housing in the city."**

Page 18, delete lines 35 through 36.

Page 18, line 37, delete "(2)" and insert "**(1)**".

Page 18, line 39, delete "(3)" and insert "**(2)**".

Page 18, line 42, delete "(4)" and insert "**(3)**".

Page 19, line 2, delete "(5)" and insert "(4)".

Page 19, line 5, delete "(6)" and insert "(5)".

Page 19, line 8, after "9." insert "(a)".

Page 19, between lines 24 and 25, begin a new paragraph and insert:

**"(b) The plan may permit the commission to waive a development requirement specified within a zoning ordinance applying to the area if the commission determines that compliance with the development requirement would impede the redevelopment of the area."**

Page 20, line 15, after "area," insert **"the commission must send the redevelopment plan to the city's legislative body for approval. The legislative body may adopt a resolution approving the proposed redevelopment plan. Upon obtaining the approval of the legislative body,"**

Page 21, line 29, delete "is equal to the greater of:" and insert **"is:**

**(1) two (2) in the case of a consolidated city;**

**(2) two (2) in the case of a second class city in which at least twenty percent (20%) of the households in the city are below the poverty level as established by the most recent United States census; or**

**(3) one (1) in the case of all other second class cities."**

Page 21, delete lines 30 through 32.

Page 21, line 33, after "(a)" insert **"Notwithstanding any other law,"**

Page 21, line 35, delete "2003." and insert **"2004."**

Page 21, line 36, after "(b)" insert **"Notwithstanding any other law,"**

Page 21, line 37, delete "2003." and insert **"2004."**

(Reference is to HB 1874 as printed February 28, 2003.)

AVERY

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1874, begs leave to report that said bill has been amended as directed.

AVERY

Report adopted.

The question then was, Shall the bill pass?

Roll Call 358: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss and Simpson.

#### Engrossed House Bill 1849

Representative L. Lawson called down Engrossed House Bill 1849 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 359: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Long and Broden.

#### Engrossed House Bill 1833

Representative Reske called down Engrossed House Bill 1833 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 360: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Simpson, Lanane, and Jackman.

#### Engrossed House Bill 1813

Representative Crawford called down Engrossed House Bill 1813 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Porter was excused from voting.

Roll Call 361: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller and Breaux.

#### Engrossed House Bill 1153

Representative Hasler called down Engrossed House Bill 1153 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 362: yeas 39, nays 58. The bill was defeated.

#### Engrossed House Bill 1738

Representative Kuzman called down Engrossed House Bill 1738 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Murphy was excused from voting.

Roll Call 363: yeas 83, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Merritt, Alting, and Mrvan.

#### Engrossed House Bill 1788

Representative Hasler called down Engrossed House Bill 1788 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations and consumer sales and credit.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 364: yeas 78, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Weatherwax, R. Meeks, and Lewis.

#### Engrossed House Bill 1733

Representative V. Smith called down Engrossed House Bill 1733 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 365: yeas 48, nays 51. The bill was defeated.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Harris.

**Engrossed House Bill 1761**

Representative Avery called down Engrossed House Bill 1761 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? On the motion of Representative Kromkowski the previous question was called.

Roll Call 366: yeas 63, nays 34. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Broden.

**Engrossed House Bill 1707**

Representative Klinker called down Engrossed House Bill 1707 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 367: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Alting, Sipes, Lubbers, and Rogers.

**Engrossed House Bill 1655**

Representative Bardon called down Engrossed House Bill 1655 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 368: yeas 89, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and Lanane.

**Engrossed House Bill 1106**

Representative Bottorff called down Engrossed House Bill 1106 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 369: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Sipes and Wyss.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

**Engrossed House Bill 1662**

Representative L. Lawson called down Engrossed House Bill 1662 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 370: yeas 55, nays 41. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and Craycraft.

**Engrossed House Bill 1630**

Representative Welch called down Engrossed House Bill 1630 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 371: yeas 90, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller, Breaux, and Dillon.

**Engrossed House Bill 1985**

Representative Orentlicher called down Engrossed House Bill 1985 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. After discussion, Representative Orentlicher withdrew the call of Engrossed House Bill 1985.

**Engrossed House Bill 1558**

Representative L. Lawson called down Engrossed House Bill 1558 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 372: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison, Bowser, Craycraft, and Lubbers.

**Engrossed House Bill 1546**

Representative Fry called down Engrossed House Bill 1546 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representative Goodin was excused from voting.

Roll Call 373: yeas 59, nays 36. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Paul and Lanane.

**Engrossed House Bill 1535**

Representative Dobis called down Engrossed House Bill 1535 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 374: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Kenley, and Rogers.

**Engrossed House Bill 1525**

Representative Kuzman called down Engrossed House Bill 1525 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 375: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske and Antich.

**Engrossed House Bill 1523**

Representative Dobis called down Engrossed House Bill 1523 for third reading:

A BILL FOR AN ACT concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 376: yeas 95, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and Lewis.

**Engrossed House Bill 1515**

Representative Welch called down Engrossed House Bill 1515 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 377: yeas 78, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Weatherwax and Lanane.

**Engrossed House Bill 1434**

Representative Welch called down Engrossed House Bill 1434 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

The bill was reread a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 378: yeas 68, nays 30. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss and Sipes.

**Engrossed House Bill 1322**

Representative Porter called down Engrossed House Bill 1322 for third reading:

A BILL FOR AN ACT concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 379: yeas 54, nays 45. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Lubbers, Breaux, and Rogers.

**Engrossed House Bill 1287**

Representative Orentlicher called down Engrossed House Bill 1287 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 380: yeas 50, nays 48. The bill failed for lack of a constitutional majority.

**Engrossed House Bill 1232**

Representative Duncan called down Engrossed House Bill 1232 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 381: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson and Broden.

**Engrossed House Bill 1671**

Representative Bottorff called down Engrossed House Bill 1671 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 382: yeas 75, nays 22. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and Lewis.

**HOUSE MOTION**

Mr. Speaker: I move that Engrossed House Bill 1287 be reconsidered pursuant to Rule 151.

**ORENTLICHER**

The Speaker ordered the roll of the House to be called. Roll Call 383: yeas 50, nays 44. Motion prevailed.

**Engrossed House Bill 1287**

Representative Orentlicher called down Engrossed House Bill 1287 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was reread a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 384: yeas 51, nays 47. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Server and Simpson.

**Engrossed House Bill 1186**

Representative Stilwell called down Engrossed House Bill 1186 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 385: yeas 79, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Riegsecker and Waterman.

**Engrossed House Bill 1184**

Representative Stilwell called down Engrossed House Bill 1184 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 386: yeas 88, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske and Hume.

**Engrossed House Bill 1129**

Representative C. Brown called down Engrossed House Bill 1129 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 387: yeas 90, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators M. Young, Rogers, and Howard.

**Engrossed House Bill 1126**

Representative Pelath called down Engrossed House Bill 1126 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 388: yeas 75, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent and Bowser.

**Engrossed House Bill 1107**

Representative Hasler called down Engrossed House Bill 1107 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 389: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Dillon.

**Engrossed House Bill 1098**

Representative Mahern called down Engrossed House Bill 1098 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 390: yeas 63, nays 35. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Lawson and Sipes.

**Engrossed House Bill 1073**

Representative Liggett called down Engrossed House Bill 1073 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 391: yeas 55, nays 42. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison and Craycraft.

**Engrossed House Bill 1221**

Representative Bottorff called down Engrossed House Bill 1221 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 392: yeas 82, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and Lewis.

**Engrossed House Bill 1680**

Representative Bardon called down Engrossed House Bill 1680 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 393: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Paul.

**Engrossed House Bill 1791**

Representative Hasler called down Engrossed House Bill 1791 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 394: yeas 91, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller and Lanane.

**Engrossed House Bill 1882**

Representative Pierce called down Engrossed House Bill 1882 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 395: yeas 48, nays 51. The bill was defeated.

**HOUSE MOTION**

Mr. Speaker: I move that Engrossed House Bill 1253 be reconsidered pursuant to Rule 151.

V. SMITH

Motion prevailed.

**Engrossed House Bill 1253**

Representative V. Smith called down Engrossed House Bill 1253 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was reread a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 396: yeas 51, nays 45. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Dillon and Rogers.

**Engrossed House Bill 1196**

Representative Lytle called down Engrossed House Bill 1196 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 397: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jackman and Lewis.

**OTHER BUSINESS ON THE SPEAKER'S TABLE****MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bill 1167 with amendments and the same is herewith returned to the House for concurrence.

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 67, 173, 176, 178, 182, 202, 210, 219, 227, 232, 239, 240, 268, 281, 291, 292, 307, 314, 367, 375, 383, 385, 405, 417, 433, 440, 460, 463, 478, 487, 491, 494, 501, 503, 508, 509, 517, 520, 523, and 548 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal Secretary of the Senate

**PETITION TO CHANGE VOTING RECORD**

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1231, Roll Call 305, on March 4, 2003. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the nay button when I intended to vote yea."

V. SMITH

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 305 to 95 yeas, 2 nays.*]

**PETITION TO CHANGE VOTING RECORD**

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1241, Roll Call 306, on March 4, 2003. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

NOE

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 306 to 62 yeas, 34 nays.*]

**PETITION TO CHANGE VOTING RECORD**

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1459, Roll Call 300, on March 4, 2003. In support of this petition, I submit the following reason:

"I was present, but unable to vote before the machine had closed. I intended to vote nay."

FOLEY

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 300 to 54 yeas, 41 nays.*]

**PETITION TO CHANGE VOTING RECORD**

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1791, Roll Call 394, on March 4, 2003. In support of this petition, I submit the following reason:

"I was present, but unable to vote before the machine had closed. I intended to vote yea."

AUSTIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 394 to 91 yeas, 5 nays.*]

**PETITION TO CHANGE VOTING RECORD**

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1842, Roll Call 295, on March 4, 2003. In support of this petition, I submit the following reason:

"I was present, but unable to vote before the machine had closed. I intended to vote yea."

NEESE

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 295 to 97 yeas, 0 nays.*]

**HOUSE MOTION**

Mr. Speaker: I move that Representative Torr be removed as coauthor of House Bill 1003.

LIGGETT

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Wolkins be added as coauthor of House Bill 1106.

BOTTORFF

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Aguilera, Crawford, and Porter be added as coauthors of House Bill 1129.

C. BROWN

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative LaPlante be added as coauthor of House Bill 1195.

LYTLE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Aguilera be added as coauthor of House Bill 1202.

FRENZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1378.

DAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Porter and V. Smith be added as coauthors of House Bill 1459.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pond be added as coauthor of House Bill 1630.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1707.

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Becker be added as coauthor of House Bill 1813.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative LaPlante be added as coauthor of House Bill 1828.

BOSMA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mays be added as coauthor of House Bill 1874.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as cosponsor of Engrossed Senate Bill 365.

GRUBB

Motion prevailed.

On the motion of Representative Bosma, the House adjourned at 10:00 p.m., this fourth day of March, 2003, until Monday, March 10, 2003, at 1:30 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

DIANE MASARIU CARTER

Principal Clerk of the House of Representatives